

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.26472 of 2006

Dated: 26.12.2006

Between:

Bazarinti Madamanchi Ramajnaneyulu and others.

.....
PETITIONERSS

AND

The Sub-Registrar, Sabbavaram, Visakhapatnam, and another.

.....**RESPONDENTS**

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.26472 of 2006

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ORDER:

The petitioners, having purchased different extents of land in survey No.1/2 situated at Gullepalli Village of Sabbavaram Mandal in Visakhapatnam, from Tadipatri Satyanarayana and others, under different registered agreements of sale-cum-General Power of Attorneys, presented the documents for registration before respondent No.1, who kept the same pending without any valid reason. Aggrieved by the same, the present writ petition is filed.

Heard the learned Counsel for the petitioners and the learned Assistant Government Pleader for Revenue (General-A). It is no doubt true that when a document is presented, it is incumbent on the part of the Registering Officer to examine the same with reference to Sections 31 and 36 of the Registration Act, 1908 (the Act, for brevity) and/or Rules 26 and 58 of the Andhra Pradesh Rules under the Act. This aspect of the matter was considered by my learned brother Hon'ble Sri Justice A.Gopal Reddy in W.P.No.15199 of 2004 dated 01.09.2004.

Following the above, this writ petition is disposed of directing respondent No.1 or any other Registering Officer to accept the documents presented by the petitioners and to consider the same for registration. Be it noted, if for any reason, the documents presented are not registered, it is incumbent on the part of the Registering Officer to record and furnish reasons under Section 71 of the Act. Even thereafter, if the petitioners have any grievance, they may file an appeal before the Appellate Authority i.e., District Registrar under Section 72 of the Act. Thereafter, if any adverse order is passed by the Appellate Authority, the petitioners can file suit under Section 77 of the Act. No costs.

(V.V.S.RAO, J)

26th December, 2006

Note: Issue CC by 29.12.2006.

B/o

ghn

